THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO.16542 OF 2005

Dated 19th day of august, 2005.

Between:

Kunchala Krishnaveni … petitioner

And

1. The District Collector & another.

… respondents.

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO.16542 OF 2005

ORDER:

This writ petition is filed to declare the inaction of the respondent in passing the orders on the application of the petitioner bearing No.P.524/05/0, dated 17.1.2005 seeking to appoint her as fair price shop dealer of Turuvolu village, Chidikada mandal of Vishakhapatnam in place of her father, as illegal and arbitrary.

The case of the petitioner is that her father was the fair price shop dealer of the said village for over 15 years and he died due to the heart attack. It is her further case that she studied up to intermediate and that on 17.1.2005 she made application to the

first respondent seeking appointment as fair price shop dealer. The grievance of the petitioner is that no action is forthcoming on her application for appointment as fair price shop dealer.

Learned Government Pleader submits that for the purpose of appointment of fair price shop dealer the authorities concerned will have to issue notification and in pursuance of the same, the eligible candidates will make application and thereafter the authorities will consider the application and appoint fair price shop dealers as per law. He further submits that no individual on his own is entitled to make an application seeking appointment as fair price shop dealer, without issuance of any notification by the authorities concerned.

In that view of the matter as no notification has been issued by the respondents so far there is no obligation on their part to consider the application made by the petitioner. Therefore, as and when the authorities issue notification for the purpose of appointment of fair price shop dealer, it is open for the petitioner to make application seeking appointment, in which case the authorities may consider his application along with other applicants and if the petitioner is found suitable then only the question of considering the case of the petitioner will arise.

The writ petition is disposed of with the said observation.

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19.08.2005

mdaa